

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF NEW YORK**

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Wausau Underwriters Insurance  
Company and Town Square Mall  
Associates, LLC

VS.

Cincinnati Insurance Company

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JUDGMENT IN A CIVIL CASE

CASE NO. 3:05-CV-210

       **JURY VERDICT.** This action came before this Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

  **X**   **DECISION BY COURT.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

**IT IS ORDERED AND ADJUDGED** THAT PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT IS GRANTED AND PLAINTIFF IS AWARDED THE SUM OF \$108,196.71 AGAINST DEFENDANT CINCINNATI, PLUS PRE-JUDGMENT INTEREST AT THE RATE OF 9% PER ANNUM FROM OCTOBER 7, 2005. GRANTING PLAINTIFF'S RECOVERY OF THE COSTS AND DISBURSEMENTS OF THE INSTANT ACTION.

IN ACCORDANCE WITH THE HONORABLE THOMAS J. MCAVOY'S ORDER FILED FEBRUARY 21, 2006.

Dated: February 21, 2006

  
Clerk of Court

s/S. Potter  
By: Deputy Clerk